IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.39 OF 2005

Mohammed Ali Khan Jumman Khan. .... Appellant.
Versus.
Iltija Hussein and anr. .... Respondents.

Shri M.H.Khan for the Appellant.

Shri V.Y.Sanglikar for the Respondents.

CORAM : ABHAY S. OKA, J.
DATED : 17th January, 2005.

P.C.:

1. Heard the learned Counsel for the Appellant. By the order impugned passed by the learned trial Judge, ad-interim relief in favour of the Appellant has been refused.

2, The learned trial Judge has recorded certain reasons for refusal of ad-interim relief. Having perused the plaint and in particular paragraphs 1 and 2 thereof, I am satisfied that there is no error in the impugned Judgment and Order.

3. Hence the Appeal is dismissed with no order as to costs. It is made clear that the Motion will be decided on its own merits without being influenced by the impugned order and confirmation thereof by this Court. The learned trial Judge will dispose of the Motion expeditiously. Liberty to apply to the learned trial Judge for fixing early date of hearing of Motion.

Judge.